

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JEREMY WEST,)	No. 2:23-CV-0106-TOR
)	
Plaintiff,)	AGREED HIPAA-COMPLIANT
)	PROTECTIVE ORDER
vs.)	
)	
BNSF RAILWAY CO.,)	
)	
Defendant.)	
)	

The parties have agreed, and the Court orders, that good cause exists to issue a HIPAA-compliant protective order providing the protections set out in 45 C.F.R. § 164.512(e)(1)(v) for any medical records obtained in this case by subpoena, including any such records concerning the plaintiff, Jeremy West. Accordingly, it is ORDERED that with respect to any medical records obtained by way of a subpoena issued in this lawsuit:

1. The parties are prohibited from using or disclosing any protected health information contained in such records for any purpose other than this litigation; and

2. At the end of this litigation, the parties are required to either destroy or to return to the source from which the medical records were obtained any protected health information contained in such records. Notwithstanding the foregoing, Plaintiff Jeremy

1 West is not required to return or destroy any records containing his own protected health
2 information; nor is Plaintiff's counsel required to do so.

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4 3. The term "medical records" refers to records of a "covered entity" that
5 contain "health information" as defined in the regulations issued pursuant to the Health
6 Insurance Portability and Accountability Act, including 45 C.F.R. § 160.103.

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8 4. This Order does not constitute a ruling that any particular medical records
9 are discoverable or admissible but is entered to provide a HIPAA-compliant protective
10 order applicable to any records that are obtained through a subpoena in this litigation.

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13 DATED October 6, 2023.



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A handwritten signature in blue ink that reads "Thomas O. Rice". The signature is written in a cursive, flowing style.

THOMAS O. RICE

United States District Judge